

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X		
	:	
WILLIAM FLEMM,	:	
	:	
Plaintiff,	:	
	:	
-against-	:	
	:	19 Civ. 11771 (LGS)
VICTORY COMMERCIAL MANAGEMENT,	:	
	:	
Defendant.	:	<u>ORDER</u>
-----X		

LORNA G. SCHOFIELD, District Judge:

WHEREAS, this action is trial ready;

WHEREAS, no timely pre-motion letter has been filed in accordance with the Court's Second Amended Case Management Plan and Scheduling Order dated August 20, 2020 (Dkt. No. 49), and as provided in the Court's Individual Rule III.A.1;

WHEREAS, there are currently no cases on the Court's January 2021 trial-ready calendar. It is hereby,

**ORDERED** that the case management conference currently scheduled for September 17, 2020, 10:50 a.m. is **canceled**. It is further,

**ORDERED** that this action will be placed in first place on the Court's January 2021 trial-ready calendar; the jury trial will begin on **January 11, 2021, at 9:45 a.m.** or the Court's first available date thereafter. It is further,

**ORDERED** that the parties shall be ready to proceed on 24 hours' notice on or after January 11, 2021. It is further,

**ORDERED** that in accordance with and as further provided in Individual Rule IV.B:

(1) Any motions *in limine* shall be filed by **November 27, 2020**.

- (2) Responses to the motions shall be filed by **December 7, 2020**. No reply shall be filed. The parties shall follow the Court's Individual Rules regarding such motions.
- (3) Joint requests to charge, *voir dire*, verdict form, and any memorandum of law, as provided in the Court's Individual Rules, shall be filed by **December 7, 2020**.
- (4) The final pretrial order shall be filed **December 14, 2020**.

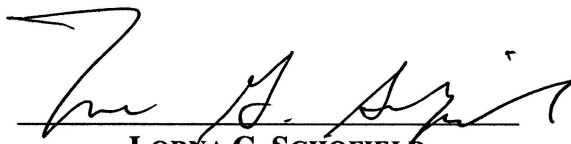
\* \* \* \*

The parties are encouraged to:

- (1) Contact Courtroom Deputy James Street at (212) 805-4553 closer to the trial date if they wish to know where they stand on this list.
- (2) Confer and consent to a trial before a Magistrate Judge (per the attached form) if they wish to have a trial date certain or if they wish a different trial date. If a Magistrate Judge has overseen settlement discussions, the parties may request a different Magistrate Judge (to be randomly selected) as the trial judge.
- (3) Confer and advise the Court immediately by joint letter if they would like a referral to a Magistrate Judge or court appointed mediator for a settlement conference. Such referral will not stay the dates in this Order.

The final pretrial conference will be scheduled closer to the trial date.

Dated: September 8, 2020  
New York, New York

  
**LORNA G. SCHOFIELD**  
**UNITED STATES DISTRICT JUDGE**

**UNITED STATES DISTRICT COURT**  
for the  
**SOUTHERN DISTRICT OF NEW YORK**

<i>Plaintiff</i>	)	
v.	)	
	)	Civil Action No.
<i>Defendant</i>	)	

**NOTICE, CONSENT, AND REFERENCE OF A CIVIL ACTION TO A MAGISTRATE JUDGE**

*Notice of a magistrate judge’s availability.* A United States magistrate judge of this court is available to conduct all proceedings in this civil action (including a jury or nonjury trial) and to order the entry of a final judgment. The judgment may then be appealed directly to the United States court of appeals like any other judgment of this court. A magistrate judge may exercise this authority only if all parties voluntarily consent.

You may consent to have your case referred to a magistrate judge, or you may withhold your consent without adverse substantive consequences. The name of any party withholding consent will not be revealed to any judge who may otherwise be involved with your case.

*Consent to a magistrate judge’s authority.* The following parties consent to have a United States magistrate judge conduct all proceedings in this case including trial, the entry of final judgment, and all post-trial proceedings.

<i>Printed names of parties and attorneys</i>	<i>Signatures of parties or attorneys</i>	<i>Dates</i>

**Reference Order**

**IT IS ORDERED:** This case is referred to a United States magistrate judge to conduct all proceedings and order the entry of a final judgment in accordance with 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73.

Date: _____	_____ <i>District Judge’s signature</i>
	_____ <i>Printed name and title</i>

**Note:** Return this form to the clerk of court only if you are consenting to the exercise of jurisdiction by a United States magistrate judge. Do not return this form to a judge.